

### **REMARKS**

In response to the Office Action dated December 21, 2004, claims 1, 3, 5, 11, 14 and 18 have been amended. Claims 1-20 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 1-2, 5-12 and 14-20 under 35 U.S.C. § 102(e) as being anticipated by Selitrennikoff et al. (U.S. Patent No. 6,301,612).

The Applicant respectfully traverses this rejection based on the amendments to the claims and the arguments below.

The Applicants submit that Selitrennikoff et al. do not disclose, teach, or suggest all of the claimed features of claims 1-2, 5-12 and 14-20. For example, among other things, Selitrennikoff et al. fail to disclose a system configured to "automatically back-up the stored user-specific data for keeping the stored user-specific data current" and "automatically repairing the programmable device." (see FIGS. 5 and 7 and paragraphs [0031], [0036] and [0041] of the original specification). Although Selitrennikoff et al. disclose "...a backup copy of the lost data may be transferred from a storage location at the server computer to the client computer" (see col. 4, lines 3-7 of Selitrennikoff et al.), Selitrennikoff et al. **fail** to disclose the Applicant's claimed keeping the stored user-specific data current with automatic back-ups.

Hence, since the cited reference does not disclose all of the elements of the claimed invention, the reference cannot anticipate the claims. As such, the Applicant respectfully submits that the rejection under 35 U.S.C. 102 should be withdrawn.

The Office Action rejected claims 3-4 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Selitrennikoff et al. in view of Winkel (U.S. Patent No. 5,600,632).

The Applicant respectfully traverses this rejection based on the amendments to the claims and the arguments below.

The Applicant submits that Selitrennikoff et al., alone or in combination with Winkel do not disclose, teach, or suggest all of the claimed features of the amended claims. Namely, Winkel in combination with Selitrennikoff et al. **fail** to disclose the Applicant's claimed keeping the stored user-specific data current with automatic back-ups, as argued above. Thus, the cited references cannot render the Applicant's invention obvious. This failure of the cited references to disclose, suggest or provide

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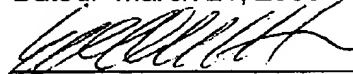
motivation for the Applicant's claimed invention indicates a lack of a prima facie case of obviousness (MPEP 2143).

With regard to the rejection of the dependent claims, because they depend from the above-argued respective independent claims, and they contain additional limitations that are patentably distinguishable over the cited references, these claims are also considered to be patentable (MPEP § 2143.03).

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicant kindly requests the Examiner to telephone the Applicant's attorney at **(818) 885-1575**. Please note that all mail correspondence should continue to be directed to

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